

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION

HENRY NARANJO and  
MARLENE RAMIREZ

CASE NO.: 00-6022-CIV-LENARD  
JUDGE: WILLIAM C. TURNOFF

Plaintiffs,

v.

STEPHEN BYRON SMITH, and  
PALMER JOHNSON, INC.

Defendants,

PALMER JOHNSON, INC.

Third Party Plaintiff,

v.

TOM FEXAS YACHT DESIGN, INC.

Defendant.

TOM FEXAS YACHT DESIGN, INC.'S NOTICE OF CONFLICT WITH TRIAL

Tom Texas Yacht Design, Inc. hereby gives notice of the following conflicts with the Settlement Conference presently scheduled for October 18, 2001 by Order of September 26, 2001 and the trial of the instant case which is currently set for the trial period commencing November 12, 2001 and ending November 23, 2001 by Order of April 11, 2000.

1. As to the Settlement Conference, lead trial counsel for Tom Texas Yacht Design, Inc. in the instant action, Joseph L. Mannikko, is lead trial counsel for Plaintiffs Mahlon Weaver and Margaret Weaver in the case of Weaver v. Jones in the Martin

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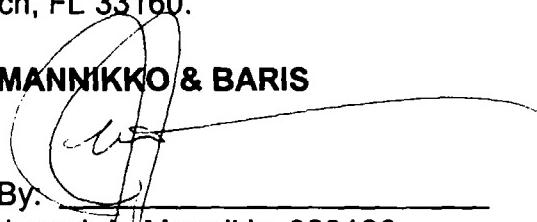


County Circuit Court, Nineteenth Judicial Circuit, Case No. 00-497-CA. The Weaver case is specially set as the number 1 case for trial by Order dated September 26, 2001, before Judge Ben L. Bryan, Jr.

2. As to the trial of the instant case, lead trial counsel for Plaintiff in the instant action, Joseph L. Mannikko, is lead trial counsel for Ginger Saunders in the case of *Sanders v. Kimmell*, Martin County Circuit Court, Nineteenth Judicial Circuit, Case No. 99-324 CA presently set for trial as the number 4 case on November 13, 2001 before the Honorable Ben L. Bryan, Jr.

#### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail this 15<sup>th</sup> day of October, 2001 to **Laurence F. Valle, Esquire, Frank J. Sioli, Esquire, Valle & Craig, P.A.** at 9155 South Dadeland Boulevard, Suite 1000, Dadeland Centre, Miami, Florida 33156; **F. David Famulari, Esquire, Blanck & Perry, P.A.**, 5730 SW 74th Street, Suite 700, Miami, FL 33143; **Manuel Valdes, Esquire, Law Offices of John W. Burke, P.A.**, Suite 330, Ocean Bank Building 782 NW 42<sup>nd</sup> Avenue Miami, FL 33126, **David Weber, Esquire and the Pinkert Law Firm, LLP**, 454 Kentucky Street, Sturgeon Bay, WI 54235-0089; and **John D. Kallen, Badiak, Will & Kallen**, 17071 West Dixie Highway, North Miami Beach, FL 33160.

  
**MANNIKKO & BARIS**

By \_\_\_\_\_

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